

AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions, and listings, of claims in the application.

1. (Currently Amended) A pigmented cosmetic composition comprising a water-in-oil emulsion, said emulsion comprising:

- (a) from about 30% to about 40% by weight of an oil phase;
- (b) from about 30% to about 50% by weight of an aqueous phase;
- (c) from about 5% to about 15% by weight of a pigment;
- (d) from about 3% to about 6% by weight of ~~an emulsifier comprising a cetyl dimethicone copolyol emulsifier~~; and

(e) a separation inhibitor comprising a silicone elastomer, wherein the silicone elastomer comprises a dimethicone cross-polymer, and wherein said silicone elastomer is present in an amount of from about 0.1% to about 7% by weight of said composition, wherein the composition is stable for at least three months at about 50 °C.

2.-6. (Canceled)

7. (Original) The composition of claim 1, wherein the aqueous phase comprises an alcohol.

8. (Original) The composition of claim 1, wherein the aqueous phase comprises a glycol.

9. (Original) The composition of claim 1, wherein the oil phase comprises a silicone oil.

10. (Canceled)

11. (Previously presented) The composition of claim 1, wherein the separation inhibitor further comprises a carrier for the dimethicone cross-polymer.

12. (Original) The composition of claim 11, wherein the carrier is cyclomethicone.

13. (Original) The composition of claim 1, wherein the pigment is selected from the group consisting of titanium dioxide, yellow iron oxide, red iron oxide, black iron oxide, zinc oxide, talc, mica, magnesium carbonate, calcium carbonate, magnesium silicate, aluminum magnesium silicate, silica, ultramarine, nylon powder, polyethylene powder, polystyrene powder, silk powder, crystalline cellulose, starch, titanated mica, iron oxide titanated mica, bismuth oxychloride, and combinations thereof.

14. (Original) The composition of claim 13, wherein the pigment is surface treated.

15. (Original) The composition of claim 14, wherein the pigment is surface treated with silicone.

16. (Original) The composition of claim 1, wherein the emulsion further comprises a sunscreening agent.

17. (Original) The composition of claim 16, wherein the sunscreening agent is present in an amount of from about 5% to about 15% by weight of said composition.

18. (Original) The composition of claim 1, wherein the emulsion further comprises a thickener.

19. (Original) The composition of claim 18, wherein the thickener is present in an amount of from about 0% to about 10% by weight of said composition.

20. (Original) The composition of claim 1, wherein the emulsion further comprises an inorganic salt for enhancing the formation of the water-in-oil emulsion.

21. (Original) The composition of claim 20, wherein the inorganic salt is present in an amount of from about 0% to about 4% by weight of said composition.

22. (Original) The composition of claim 20, wherein the inorganic salt is selected from the group consisting of sodium chloride, magnesium chloride, magnesium sulfate, and combinations thereof.

23. (Original) The composition of claim 1, wherein the emulsion further comprises a preservative.

24. (Original) The composition of claim 23, wherein the preservative is present in an amount of from about 0% to about 2% by weight of said composition.

25. (Original) The composition of claim 1, wherein the composition is a make-up.

26. (Original) The composition of claim 25, wherein the make-up is selected from the group consisting of a foundation, a rouge, a concealer, eye-shadow, eye-liner, a mascara, a lipstick, and a lipcolor.

27. (Original) The composition of claim 1, wherein the composition is a sunscreen.

28. (Currently Amended) A pigmented cosmetic composition comprising a water-in-oil emulsion, said emulsion comprising:

- (a) from about 30% to about 40% by weight of an oil phase;
- (b) from about 30% to about 50% by weight of an aqueous phase;
- (c) from about 5% to about 15% by weight of a pigment;
- (d) from about 3% to about 6% by weight of ~~an emulsifier comprising~~ a cetyl dimethicone copolyol emulsifier; and
- (e) a separation inhibitor comprising a silicone elastomer, wherein the silicone elastomer comprises a dimethicone ~~cross-polymer~~ cross-polymer, and wherein said silicone elastomer is present in an amount of from about 0.1% to about 7% by weight of said composition; and optionally, one or more of the following ingredients:
 - (i) a sun screening agent;

- (ii) a thickener;
- (iii) an inorganic salt;
- (iv) a preservative;
- (v) a fragrance; and
- (vi) a vitamin,

wherein the composition is stable for at least three months at about 50 °C.

29. (Currently Amended) A particulate sunscreen composition comprising a water-in-oil emulsion, said emulsion comprising:

- (a) from about 30% to about 40% by weight of an oil phase;
- (b) from about 30% to about 50% by weight of an aqueous phase;
- (c) from about 1% to about 35% by weight of a particulate sun screening agent;
- (d) from about 3% to about 6% by weight of ~~an emulsifier comprising~~ a cetyl dimethicone copolyol emulsifier; and
- (e) a separation inhibitor comprising a silicone elastomer, wherein the silicone elastomer comprises a dimethicone cross-polymer, and wherein said silicone elastomer is present in an amount of from about 0.1% to about 7% by weight of said composition, wherein the composition is stable for at least three months at about 50 °C.

30. (Original) The composition of claim 29, wherein the particulate sun screening agent is a metal oxide or combinations thereof.

31. (Original) The composition of claim 30, wherein the particulate sun screening agent is selected from the group consisting of zinc oxide, titanium dioxide, and combinations thereof.

32. (Original) The composition of claim 29, wherein said emulsion further comprises at least one of the following optional ingredients:

- (i) a pigment;
- (ii) a thickener;
- (iii) a preservative;
- (iv) an inorganic salt;

- (v) a fragrance; and
- (vi) a vitamin.

33-52. (Canceled)

53. (Previously presented) The composition of claim 9, wherein the oil phase comprises cyclomethicone, phenyl trimethicone, cyclopentasiloxane, and dimethylpolysiloxane.

54. (Previously presented) The composition of claim 15, wherein the silicone is dimethicone.

55. (Previously presented) The composition of claim 16, wherein the sunscreening agent is at least one compound selected from the group consisting of octyl methoxycinnamate and octyl salicylate.

56. (Previously presented) The composition of claim 18, wherein the thickener is at least one compound selected from the group consisting of quarternium-19 hectorite and propylene carbonate.

57. (Previously presented) The composition of claim 23, wherein the preservative is at least one compound selected from the group consisting of phenoxyethanol, methylparaben, propylparaben, and disodium ethylenediaminetetraacetate (EDTA).

58. (Currently Amended) A pigmented cosmetic composition comprising a water-in-oil emulsion, said emulsion comprising:

- (a) from about 30% to about 40% by weight of an oil phase comprising cyclomethicone, phenyl trimethicone, cyclopentasiloxane, and dimethylpolysiloxane;
- (b) from about 30% to about 50% by weight of an aqueous phase;
- (c) from about 5% to about 15% by weight of a pigment that is surface treated with a silicone;
- (d) from about 3% to about 6% by weight of ~~an emulsifier comprising~~ a cetyl dimethicone copolyol emulsifier; and

(e) a separation inhibitor comprising a silicone elastomer, wherein the silicone elastomer comprises a dimethicone cross-polymer, and wherein said silicone elastomer is present in an amount of from about 0.1% to about 7% by weight of said composition, wherein the composition is stable for at least three months at about 50 °C.